

## NARCOTIC CONTROL IN CHINA

(June 30, 1936.)  
(FOREIGN OFFICE ORDINANCE NO. 11)

Narcotic Control in China was decided as follows:

## NARCOTIC CONTROL IN CHINA

Article 1. Materials referred to as narcotic in this control are indicated on the every following number:

1. Morphine and di-acetyl morphine and other morphine esters and all of their salts.
2. Coarse manufactured "Morphine", "Coca" leaves, and coarse manufactured "Cocaine".
3. "Egonin" and "Cocaine" and other "Egonin esters" and all of their salts.
4. "Di-hydro-oxy-codeine", "Di-hydro-codeine" and "Di-hydro-morphine". "Di-hydro-morphine" and every other "ester" and all of their salts.
5. "Codeine", "Ethylmorphine", "Benzil-morphine" and other "Morphine ether" and all of their salts.
6. "Morphine n. oxide" and its derivatives. "Morphine" and its derivatives.
7. "Di-hydro-Codeine" and their salts of every description.
8. "Morphine", "Morphine ester" (except "diathesis morphine") or "Morphine ether" ("codeine" and "ethylmorphine") which can be detected two parts thousandth or "diathesis morphine".
9. "Di-hydro-oxiCodeine", "Di-hydro-Codeine", "Dihydro-Morphine", "Acetyl-Di-hydro-Codeine" and "Di-hydro-Morphine" or every other "Ester" or its derivatives, "Morphine" or which can be detected more than two parts thousandth as a derivative.
10. "Cocaine" and its derivatives which can be detected more than one part thousandth.
11. Indian Hemp grass and its resin and the articles containing of them.
12. Opium for medical use.
13. Articles appointed by the Minister of Foreign Affairs.

Article 2. In this control, export means from the part of China and import to the part of China.

Article 3. Narcotic is not permitted to manufacture or to export.

Article 4. Narcotic is not permitted to use for themselves or any other person except the medical use.

Article 5. It is prohibited to import, buy and sell, deliver, have with themselves narcotic or to have for the purpose to sell it except the regulated cases in this control.

Article 6. In the case of necessity of narcotic for scientific research or business of school and hospital or doctor, dentist, veterinary, pharmacist and druggist, it will be permitted to import narcotic after recognition of the Imperial consular officer concerned according to the concerning Chinese regulations which are acknowledged by the Imperial Government.

Article 7. He who will import narcotic according to the preceding article must receive a permission of the Imperial consular officer concerned reporting the matters of the every following number:

1. Name of article and quantity.
2. Purpose of import.
3. Name of consigner (title name, if it is a legal person) and the place of business.
4. Term of import.
5. Measures of consignment.
6. Place of import.

He who will change the matter of every number of the preceding clause after receiving permission of it, should receive permission of the matter concerned again.

When the first clause was permitted, it will be delivered a permission of import and a certificate of permission of import.

Article 8. He who received a permission of the preceding article and imported narcotic, must report to the Imperial consular officer concerned during ten days with an attested copy of a certificate of destination or a certificate of export attached to consignment and a permission of import.

When, he who received a permission of the preceding article did not import narcotic, must return to the Imperial consular officer a permission of import and a certificate of permission of import during ten days after the expiration of a term of the permission.

He who brought in narcotic from the outside of the jurisdiction or brought out to the outside of it of the Imperial consular officer concerned, must report to the Imperial consular officer concerned within ten days.

Article 9. Pharmaceutist and druggist are prohibited to sell or deliver narcotic unless they receive a certificate of purchase recognized by the Imperial consular officer concerned from doctor, dentist, veterinary, pharmacist and druggist or hospital and school or officially acknowledged foreign doctor, dentist, veterinary, pharmacist and druggist. However, it is not within the limits of the case of sale or delivery of narcotic according to the prescription issued by doctor, dentist, and veterinary or officially recognized foreign doctor, dentist and veterinary from the part of pharmaceutist.

Certificate of purchase of the preceding clause should be written: name of purchase, quantity, purpose of use, date, business place of the purchaser, profession and name and family, and sealed.

In case of transfer of narcotic from the officially recognized foreign pharmaceutist or druggist also will be applied the provisions of the first clause to the grantee.

Certificate of purchase or prescription should be kept for three years including the day of issue.

Article 10. When doctor, dentist, veterinary, pharmacist and druggist close their business or leave from China, and they have remains of narcotic, they must transfer them immediately to the Imperial national doctor, dentist, veterinary, pharmacist and druggist.

In case of the preceding clause, a grantor together with a grantee must give notice signed and sealed, and written: name of article, quantity, business place and date, to the Imperial consular officer concerned.

In case of impossibility of transfer according to the first clause of this article, they must accept the directions of the Imperial consular officer concerned.

Article 11. When doctor, dentist, veterinary, pharmacist and druggist found that narcotic had become unable to use by putrefaction and any other causes, they must give notice, write the name of the article and quantity together with the article concerned to the Imperial consular officer concerned.

He who found out that doctor, dentist, veterinary, pharmacist and druggist were dead or missing and remains of narcotic must immediately report this to the Imperial consular officer concerned.

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It must be accepted the directions of the Imperial consular officer concerned how to deal with the narcotic concerning the preceding two clauses.

Article 12. Doctor, dentist, veterinary, pharmacist and druggist must discriminate between narcotic and other drugs and the former must be kept in a locked place.

Druggist is not permitted to sell or deliver narcotic in subdivision.

Article 13. Doctor, dentist, veterinary, pharmacist and druggist must prepare a regular account book on which must be written the consumption, sale and purchase, and delivery of narcotic and it must be kept three years from the every described date; moreover, they ought to make a list of delivery of narcotic and to report to the Imperial consular officer concerned until the end of January of the next year.

The Imperial consular officer concerned can examine the account book and narcotic about the preceding clause.

Article 14. The Imperial consular officer concerned can order the necessary matters recognized for control to the said licenses concerning the form of the account book and the others of the preceding article.

Article 15. One who violated the provisions from the Article 3 to the Article 5 and of the Article 7 would be sentenced to the penal service less than three months or to the penalty less than one hundred yen.

The criminal attempts of the preceding clause will be punished except the case of Article 4.

Article 16. One who instigated or aided and abetted the non-Imperial persons and let them manufacture, export, sell and buy, and deliver narcotics unlawfully would be sentenced to the penal service less than three months or to the penalty less than one hundred yen.

Article 17. Objects concerning the violated conducts against the provisions from the Article 3 to the Article 5 and of the Article 7 would be kept or confiscated by dint of the administrative measures except the confiscation of judgment.

Article 18. One who violated the provisions from Article 8 to Article 13 or reported falsely written or refused the examination of narcotic or the account book, would be sentenced to the penalty less than one hundred yen or detention or fine.

Article 19. One who violated an order issued by the provisions of Article 14 would be sentenced to detention or fine.

Article 20. In case of a druggist being a minor or an interdict, the penal regulations of the preceding two Articles will be applied to a legal representative. However, it is not within the limits of a minor who has a similar capacity of a major concerning his business.

Article 21. Doctor, dentist, veterinary, pharmacist and druggist cannot be escaped from the punishment because of their representative, head of family, member of family, lodger, employee

and any other worker violated this control or the order issued by this control concerning their business even though not by their own directions.

Article 22. Representative or employee or any other worker of a legal person violated this control or the order issued by this control concerning the legal person's work, the penal regulations would be applied to the representative of it.

#### Additional Rules

This control shall come into force on the 1st of July, 1936.

CERTIFICATE OF SOURCE AND AUTHENTICITY

I, HAYASHI, Kaoru, who occupy the post of the Chief of the Archives Section of the Ministry of Foreign Affairs, hereby certify that the document hereto attached, written in Japanese, consisting of 9 pages and entitled "Narcotic Control in China" is an exact and authorized excerpt from an official document in the custody of the Japanese Government (the Ministry of Foreign Affairs).

certified at Tokyo

on this 4th day of April 1947

HAYASHI, Kaoru  
(seal)

I hereby certify that the above signature and seal were affixed hereto in the presence of the Witness.

at the same place

on this same date

Witness:

URABE, Katsuma  
(seal)



## 中華民國ニ於ケル麻藥取締令

(昭和十一年六月三十日  
外務省令第十一號)

中華民國ニ於ケル麻藥取締令

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## 第一條

本令ニ於テ麻藥ト稱スルハ左ノ各號ニ掲クルモノヲ謂フ

## 一

「モルヒネ」及「デアセチルモルヒネ」其ノ他ノ「モルヒネ」エス  
「テル」竝ニ其ノ各鹽類

## 二

粗製「モルヒネ」、「コカ」藥及粗製「コカイン」

## 三

「エクゴニン」(比旋光度ノ如何ヲ問ハス)及「コカイン」其ノ  
他ノ「エクゴニン」エステル」竝ニ其ノ各鹽類

## 四

「ヂヒドロオキシコダイノン」、「ヂヒドロコダイノン」、「ヂ  
ヒドロモルヒノン」、「アセチルヂヒドロコダイノン」、「ヂヒ

ドロモルヒネ」及其ノ各「エステル」竝其ノ各鹽類

## 五

「コダイイン」、「エチルモルヒネ」、「ベンジルモルヒネ」其ノ  
他ノ「モルヒネ」エーテル」及其ノ各鹽類

## 六

「モルヒネ」エヌ。オキシード」其ノ他ノ五價窒素「モルヒネ」

及其ノ誘導體

七 「デヒドロコデイン」及「テバイン」竝ニ其ノ各鹽類

八 「モルヒネ」、「モルヒネエステル」(「デアセチルモルヒネ」

ヲ除ク)若ハ「モルヒネエーテル」(「コデイン」及「エチルモ  
ルヒネ」ヲ除ク)ヲ千分中二分以上檢出シ又ハ「デアセチルモル

ヒネ」ヲ檢出スル物

九 「デヒドロオキシコデイノン」、「デヒドロコデイノン」、「デ

ヒドロモルヒノン」、「アセチルデヒドロコデイン」、「デヒド

ロモルヒネ」若ハ其ノ各「エステル」又ハ五價窒素「モルヒネ」

若ハ其ノ誘導體ヲ千分中二分以上檢出スル物

十 「エクゴニン」又ハ「コカイン」其ノ他ノ「エクゴニンエステル」

ヲ千分中一分以上檢出スル物

十一 印度大麻草、其ノ樹脂及之ヲ含有スル物

十二 醫藥用阿片

十三 外務大臣ノ指定スル物



第二條 本令ニ於テ輸出トハ中華民國ヨリノ輸出ヲ謂ヒ輸入トハ中華民國ヘノ輸入ヲ謂フ

第三條 麻藥ハ之ヲ製造又ハ輸出スルコトヲ得ス

第四條 麻藥ハ醫藥用ニ供スルノ外之ヲ自己又ハ他人ノ身體ニ使用スルコトヲ得ス

第五條 本令ニ規定スル場合ヲ除クノ外麻藥ヲ輸入シ、賣買シ、授受シ、所有シ又ハ販賣ノ目的ヲ以テ所持スルコトヲ得ス

第六條 醫師、齒科醫師、獸醫師、藥劑師若ハ藥種商又ハ病院、學校業務上又ハ學術研究上麻藥ヲ要スルトキハ帝國政府ノ承認シタル中華民國ノ關係規則ニ遵ヒ所轄帝國領事官ノ許可ヲ受ケ之カ輸入ヲ爲スコトヲ得

第七條 前條ニ依リ麻藥ヲ輸入セントスル者ハ左ノ各號ノ事項ヲ具シ所轄帝國領事官ノ許可ヲ受クヘシ

一 品名及數量

二 輸入ノ目的

三 出荷人ノ氏名（法人ニ在リテハ名稱）及業務所所在地

四 輸入ノ期間

五 送荷ノ方法

六 輸入地

前項ノ許可ヲ受ケタル後前項各號ノ事項ヲ變更セントスルトキハ其ノ事項ニ付更ニ許可ヲ受クヘシ

第一項ノ許可ヲ爲シタルトキハ輸入許可證及輸入許可證明書ヲ下付ス

第八條 前條ノ許可ヲ受ケ麻藥ノ輸入ヲ爲シタル者ハ輸入許可證及送荷ニ添送シタル輸出許可證若ハ轉向證明書ノ謄本ヲ添ヘ十日以内ニ所轄帝國領事官ニ届出ツヘシ

前條ノ許可ヲ受ケタル者輸入ヲ爲ササルトキハ許可ヲ受ケタル期間満了後十日以内ニ輸入許可證及輸入許可證明書ヲ所轄帝國領事官ニ返納スヘシ

麻藥ヲ所轄帝國領事官ノ管外ヨリ搬入シ又ハ管外ニ搬出シタル者ハ十日以内ニ所轄帝國領事官ニ届出ツヘシ

第九條 藥劑師又ハ藥種商ハ醫師、齒科醫師、獸醫師、藥劑師、藥種商若ハ病院、學校又ハ公認セラレタル外國人ノ醫師、齒科醫師、獸醫師、藥劑師若ハ藥種商ヨリ所轄帝國領事官ノ認證ヲ受ケタル買受證書ヲ徵スルニ非サレハ麻藥ヲ販賣シ又ハ授與スルコトヲ得ス。但シ藥劑師カ醫師、齒科醫師若ハ獸醫師又ハ公認セラレタル外國人ノ醫師、齒科醫師若ハ獸醫師ノ處方箋ニ依リ麻藥ヲ販賣シ又ハ授與スル場合ハ此ノ限ニ在ラス

前項ノ買受證書ハ品名、數量、使用ノ目的、年月日、買受人ノ業務所、職業、氏名ヲ記載シ且捺印シアルモノナルコトヲ要ス

公認セラレタル外國人ノ藥劑師又ハ藥種商ヨリ麻藥ヲ讓受クル場合ニ於テモ讓受人ニ付第一項ノ規定ヲ準用ス

買受證書又ハ處方箋ハ其ノ日附ヨリ三年間之ヲ保存スヘシ

第十條 醫師、齒科醫師、獸醫師、藥劑師又ハ藥種商ニシテ廢業シ又ハ中華民國ヲ退去セントスルトキ殘餘ノ麻藥アルトキハ速ニ帝國臣民タル醫師、齒科醫師、獸醫師、藥劑師若ハ藥種商ニ之ヲ讓渡スヘシ



前項ノ場合ニ於テ讓渡人ハ其ノ品名、數量、業務所及年月日ヲ記シ讓

受人ト共ニ記名捺印シタル届書ヲ所轄帝國領事官ニ提出スヘシ

本條第一項ノ規定ニ依リ讓渡ヲ爲スコト能ハサル場合ニ於テハ所轄帝國領事官ノ指揮ヲ受クヘシ

第十一條

醫師、齒科醫師、獸醫師、藥劑師又ハ藥種商ハ麻藥力變敗其  
ノ他ノ事故ニ因リ使用ニ堪ヘサルニ至リタルトキハ其ノ品名及數量ヲ

記シ物品ヲ添ヘ所轄帝國領事官ニ届出ツヘシ

醫師、齒科醫師、獸醫師、藥劑師又ハ藥種商死亡シ又ハ行衛不明トナ  
リタルトキ殘餘ノ麻藥アルコトヲ知リタル者ハ速ニ之ヲ所轄帝國領事

官ニ届出ツヘシ

前二項ノ麻藥ノ處分ニ付テハ所轄帝國領事官ノ指揮ヲ受クヘシ

第十二條

醫師、齒科醫師、獸醫師、藥劑師又ハ藥種商ハ麻藥ヲ他ノ藥  
品ト區別シ鎖鑰ヲ備ヘタル場所ニ貯藏スヘシ

藥種商ハ麻藥ヲ小分シテ販賣又ハ授與スルコトヲ得ス

第十三條

醫師、齒科醫師、獸醫師、藥劑師又ハ藥種商ハ一定ノ帳簿ヲ

備へ麻薬ノ消費、賣買又ハ授受等ヲ記載シ之ヲ其ノ日附ヨリ三年間保  
存スル外一年間ニ於ケル受拂表ヲ作成シ翌年一月末日迄ニ所轄帝國領  
事官ニ届出ツヘシ  
所轄帝國領事官ハ前項ノ帳簿又ハ麻薬ヲ検査スルコトヲ得  
第十四條 帝國領事官ハ前條ノ帳簿ノ様式其ノ他ニ關シ取締上必要ト認  
ムル事項ヲ營業者ニ命令スルコトヲ得  
第十五條 第三條乃至第五條又ハ第七條ノ規定ニ違反シタル者ハ三月以  
下ノ懲役又ハ百圓以下ノ罰金ニ處ス  
第十四條ノ場合ヲ除ク外前項ノ未遂罪ハ之ヲ罰ス  
第十六條 帝國臣民ニ非サル者ヲ教唆又ハ幫助シテ違法ニ麻薬ヲ製造、  
輸出、輸入、賣買又ハ授受セシメタル者ハ三月以下ノ懲役又ハ百圓以  
下ノ罰金ニ處ス  
第十七條 第三條乃至第五條又ハ第七條ノ規定ニ違反シタル行爲ニ係ル  
物ハ裁判ニ依リ沒收スル場合ヲ除キ行政處分ヲ以テ之ヲ領置又ハ沒收  
スルコトヲ得

第十八條 第八條乃至第十三條ノ規定ニ違反シ又ハ虚偽ノ届出若ハ記載ヲ爲シ又ハ帳簿若ハ麻藥ノ検査ヲ拒ミタルモノハ百圓以下ノ罰金又ハ拘留若ハ科料ニ處ス

第十九條 第十四條ノ規定ニ基キ發スル命令ニ違反シタル者ハ拘留又ハ科料ニ處ス

第二十條 藥種商未成年者又ハ禁治產者ナルトキハ前二條ノ罰則ハ之ヲ法定代理人ニ適用ス但シ其ノ營業ニ關シ成年者ト同一ノ能力ヲ有スル未成年者ニ付テハ此ノ限ニ在ラス

第二十一條 醫師、齒科醫師、獸醫師、藥劑師又ハ藥種商ハ其ノ代理人、戸主、家族、同居人、雇人其ノ他ノ從業者ニシテ其ノ業務ニ關シ本令又ハ本令ニ基キ發スル命令ニ違反シタルトキハ自己ノ指揮ニ出テサルノ故ヲ以テ處罰ヲ免ルルコトヲ得ス

第二十二條 法人ノ代表者又ハ其ノ雇人其ノ他ノ從業者法人ノ業務ニ關シ本令又ハ本令ニ基キ發スル命令ニ違反シタルトキハ本令ノ罰則ハ其ノ代表者ニ之ヲ適用ス



附 則

本令ハ昭和十一年七月一日ヨリ之ヲ施行ス

宣 告 人

新 任 官

新 任 官

新 任 官

新 任 官

本令ハ昭和十一年七月一日ヨリ之ヲ施行ス

宣 告 人

新 任 官

本令ハ昭和十一年七月一日ヨリ之ヲ施行ス

宣 告 人

新 任 官

文書ノ出所竝ニ成立ニ關スル證明書

自分、林馨ハ外務省文書課長ノ職ニ居ル者ナル處、茲ニ添付セラレタル  
日本語ニ依ツテ書カレ九頁ヨリ成ル中華民國ニ於ケル麻藥取締令ト題ス  
ル書類ハ日本政府（外務省）ノ保管ニ係ル公文書ノ拔萃ノ正確ニシテ眞  
實ナル實シナルコトヲ證明ス

昭和二十二年四月四日 於東京

林 馨

右署名捺印ハ自分ノ面前ニ於テ爲サレタリ

同日 於 同 所

立會人 浦 部 勝 馬